

MONDAY, 10 o'clock, A. M. February 11th, 1850.

The Senate was called to order by the President--Senators present: Messrs. Brashear, Burleson, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Truit, Walker and Wallace.

The Journals of Saturday were read and adopted.

A message was received from the House, informing the Senate that the House had adopted a substitute for the Senate's bill, to enforce and carry out the judgments and decrees of the courts of the State, and to provide for the issuance of certificates and patents in certain cases ;

Also, that the House had adopted the resolution of the Senate instructing the committees of the two Houses on printing jointly to contract for the printing of one thousand copies of the report and accompanying documents of the Joint committee to examine the books and vouchers in the Comptroller's and Treasurer's offices ;

Also, that the House had appointed Messrs. Bryan, Bee, and Whittlesey a committee to wait on his Excellency, the Governor, and inform him that the two Houses will adjourn at 12 o'clock M. to-day, and requested that a similar committee be appointed by the Senate ;

Also, that the House had passed the following bills originating in the Senate, viz :

A bill to amend an act to establish the Galveston and Red River Railway company, and

Joint resolution relating to the mails of Texas.

Mr. Cooke, chairman of the committee on Claims and Accounts, to whom was referred a bill for the relief of B. F. Mott, returned the same to the Senate, and recommended that it be laid on the table.

Mr. Wallace made the following report :

The bill for the relief of bona fide claimants to land entitled to the benefits of an act entitled an act to provide for the investigation of land claims therein mentioned ;

The bill to create the county of Trinity ;

The bill to authorize the withdrawal from the General Land Office of deeds issued on paper of the second seal ;

The bill for the relief of George C. Arnest,

And the bill to provide for the liquidation of the public debt of the late Republic of Texas, were presented to the Governor of the State on the 10th instant.

Mr. Wallace also made the following report :

The committee on Enrolled bills have examined the bill to provide for the liquidation of the public debt of the late Republic of Texas ;

The bill supplementary to an act to secure to the German Emigration company and their colonists the land to which they are entitled, and to adjust the liabilities of said company, approved January 21, 1850 ;

The bill for the relief of the minor heirs of Louis P. Cooke, all of which are correctly enrolled.

Mr. Ward, from the committee on Enrolled Bills, made the following report :

COMMITTEE ROOM, Feb. 11, 1850.

HON. JOHN A. GREER,

President of the Senate :

The Enrolling committee, examined the following bills and resolutions, and finding the same correctly enrolled, presented the same to the Governor for his examination, the same having been signed by the Speaker of the House and President of the Senate, viz :

A bill entitled an act supplementary to an act regulating elections, passed March 16, 1848 ;

A bill for the relief of the heirs and legal representatives of Willis A. Farris, deceased ;

A joint resolution making an appropriation for the purchase of certain books for the use of the Supreme court ;

A joint resolution requesting the Honorable John C. Watrous to hold sessions of the United States District Court at Jefferson in Cass county, and at Corpus Christi in Nueces county ;

A bill to incorporate the Brazos, San Bernard, and Oyster creek Canal and Navigation company ;

An act to provide for settling the fiscal affairs of the late Republic of Texas ;

An act to establish the La Salle and El Paso Railway company ;

An act to validate certain patents herein named ;

An act for the relief of George F. Howard and Duncan C. Ogden ;

An act for the relief of persons taken prisoners at San Antonio.

An act to incorporate the town of Marshall ;

A bill to be entitled an act to change the name of Geo. Howard to George W. Gibbs ;

An act to provide for the assessment and collection of taxes ;

Joint resolution authorizing R. S. Neighbors, the commission-

er appointed to organize the counties of Presidio, El Paso, Worth and Santa Fe, to draw his salary in advance ;

A bill to be entitled an act to incorporate the Buffalo Bayou, Brazos and Colorado Railroad company ;

A bill to be entitled an act to incorporate the Jasper Cotton Manufacturing company ;

A bill entitled an act to change the name of Jesse Gilliam to Jesse Tarrant Gilliam ;

An act concerning the proceedings in the Supreme Court ;

A bill to incorporate the Guadalupe Bridge company ;

A bill entitled an act to change the name of Margaret and Roberto W. Simpson, minor daughters of Rev. James Simpson, to Magdaline Eliza Walker and Roberto W. Walker ;

A bill entitled an act for the relief of Robert W. Neal ;

A joint resolution authorizing the Supreme Court to hold their sessions in the capitol of the State ;

Joint resolution instructing our Senators and requesting our representatives in the United States Congress upon the subject of the United States District Court for Texas.

A committee from the House invited the Senate to meet the House in the Representative Hall at 11 o'clock to-day, for the purpose of electing a Fiscal Agent.

On motion of Mr. Robertson, the House was informed that the Senate accept the invitation.

Mr. Brashear introduced a joint resolution in relation to the extra services of Messrs Brown and Tarbox ; read first time.

On motion of Mr. Brashear, the rule was suspended ; read second time and ordered to be engrossed.

On motion of Mr. Brashear, the rule was further suspended ; read third time and passed.

Mr. Grimes introduced a joint resolution requiring the Secretary of State to have the law providing for the assessment and collection of taxes printed forthwith ; read first time ;

On motion of Mr. Grimes, the rule was suspended ; read second time and ordered to be engrossed.

On motion of Mr. Grimes, the rule was further suspended ; read third time and passed.

On motion of Mr. Pease, the substitute of the House to the Senate's bill to enforce and carry out the judgments and decrees of the courts of the State, and to provide for the issuance of certificates and patents in certain cases, was taken up and read first time.

On motion of Mr. Pease, the rule was suspended ; bill read second time and passed to third reading.

On motion of Mr. Pease, the rule was further suspended; bill read third time and passed.

A message was received from the House, informing the Senate that the House had passed a bill which originated in the Senate, making an appropriation of land for the payment of Henry P. Brewster and James Webb, for professional services rendered by them on behalf of the State;

Also, that the House had adopted the Senate's substitute to a bill to amend the 1st, 3d and 7th sections of an act to define the time of holding the courts in the several judicial districts;

Also, that the House had adopted the Senate's resolution instructing the committees of the two Houses on Contingent Expenses to contract with some suitable person to take charge of the capitol, &c.

Mr. McRae made the following report:

The committee on Contingent Expenses, to whom was referred a resolution of the Senate, to contract for the printing of 1,500 copies of the captions of the laws of the present session of the Legislature, submit the following report:

That they have contracted with the Austin Gazette for the number called for by the resolution, at the price of eighty dollars for the whole number, to be delivered to the members of the Senate by ten o'clock, Monday 11th instant.

Mr. Portis moved to take up a bill for the relief of William M. Williams, upon which the yeas and nays were called, and were as follows:

Yeas—Messrs. Burleson, Cooke, Gage, Kinney, Portis, Robertson and Wallace—7.

Nays—Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Taylor, Truit, Ward and Walker—12.

On motion of Mr. Portis, the joint resolution authorizing the Comptroller of Public Accounts to settle with P. H. Bell, late Captain of Texas mounted volunteers, was taken up and read first time.

Mr. Portis moved to suspend the rule, upon which the yeas and nays were as follows:

Yeas: Messrs. Burleson, Gage, Kinney, Portis and Robertson—5.

Nays: Messrs. Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease Phillips, Taylor, Truit, Ward, Walker and Wallace—13; lost.

Mr. Robertson offered the following resolution:

Resolved, That the joint resolution for adjournment on this day at 12 o'clock M. be, and the same is hereby rescinded.

Upon the adoption of which the yeas and nays stood as follows :

Yeas : Messrs. Davis, Kinney, Portis, and Robertson—4.

Nays : Messrs. Brashear, Burleson, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Taylor, Truit Ward, Walker and Wallace—16 ; rejected.

Mr. McRae offered the following resolution :

Resolved, That the Secretary of the Senate be authorized to take charge of the papers and archives of the Senate.

Resolved, further, That for *two weeks* after the adjournment of the present Legislature, the Secretary of the Senate be paid \$4 per day for filing and arranging the papers of the Senate.

On motion of Mr. McRae, the rule was suspended and resolution adopted.

A message was received from the House, informing the Senate that the House had passed a bill supplemental to an act making appropriations for the support of the government for the years 1850 and 1851 ; read first time.

The Senate repaired to the House of Representatives for the purpose of going into the election of Fiscal Agent.

IN JOINT SESSION.

Roll called—quorum present.

Mr. Hart nominated Mr. A. G. Kimbell.

Mr. McRae nominated Mr. H. M. Kinsey.

Mr. Robertson nominated Mr. John D. Pitts.

The roll of Senators being called, the vote stood as follows :

For Mr. Kimbell—Mr. Hart, 1.

For Mr. Kinsey—Messrs. Gage, McRae, Parker, Taylor, Truit, Walker and Wallace, 7.

For Mr. Pitts—Messrs. Brashear, Burleson, Davis, Grimes, Kinney, Latimer, Moffett, Portis, Robertson and Ward, 10.

The joint vote being told, and there being no election, the roll of Senators was again called, and the vote stood as follows :

For Mr. Kimbell—Mr. Hart, 1.

For Mr. Kinsey—Messrs. Gage, McRae, Parker, Taylor, Walker and Wallace—6.

For Mr. Pitts—Messrs. Brashear, Burleson, Davis, Grimes, Latimer, Kinney, Moffett, Portis, Robertson, Truit and Ward, 11.

The joint vote being told, and there being no election, the roll was called for a third vote, and the result was as follows :

For Mr. Kimbell—Mr. Hart, 1.

For Mr. Kinsey—Messrs. Gage, McRae, Parker, Taylor, Truit, Walker and Wallace, 7.

For Mr. Pitts—Messrs. Brashear, Burleson, Davis, Grimes, Kinney, Moffett, Portis, Robertson and Ward, 9.

The joint vote being told, and there being no election, the roll was called for a fourth vote, and the result was as follows :

For Mr. Kimbell—Messrs. Hart, Latimer and Ward, 3.

For Mr. Kinsey—Messrs. Gage, McRae, Parker, Taylor, Truitt, Walker and Wallace, 7.

For Mr. Pitts—Messrs. Brashear, Burleson, Davis, Grimes, Kinney, Moffett, Portis and Robertson, 8.

The joint vote being told, and there being no election, the two Houses proceeded to a fifth vote, when, on the part of the Senate, the vote was as follows :

For Mr. Kimbell—Messrs. Hart and Ward, 2.

For Mr. Kinsey—Messrs. Gage, Latimer, McRae, Parker, Taylor, Truitt, Walker and Wallace, 8.

For Mr. Pitts—Messrs. Brashear, Burleson, Davis, Grimes, Kinney, Moffett, Portis and Robertson, 8.

The joint vote being again told, and there still being no election, on a sixth calling, the vote was as follows :

For Mr. Kimbell—Mr. Hart, 1.

For Mr. Kinsey—Messrs. Gage, Latimer, McRae, Parker, Truitt, Ward, Walker and Wallace, 8.

For Mr. Pitts—Messrs. Brashear, Burleson, Cooke, Grimes, Kinney, Moffett, Portis, Robertson and Taylor, 9.

The joint vote being told the sixth time, and there still being no election, the roll was called for a seventh vote, Mr. Kimbell's name being withdrawn by Mr. Hart, when the result was as follows :

For Mr. Kinsey—Messrs. Gage, Hart, Latimer, McRae, Parker, Taylor, Truitt, Ward, Walker and Wallace, 10.

For Mr. Pitts—Messrs. Brashear, Burleson, Cooke, Grimes, Kinney, Moffett, Portis and Robertson, 8.

The joint vote being told, and Mr. Kinsey having a majority of votes of the two Houses, he was declared by the Speaker of the House of Representatives legally elected to the office of Fiscal Agent, as follows :

Mr. Kinsey 30 votes,

Mr. Pitts 25 "

On motion, the Senate returned to the Senate chamber.

Roll called—quorum present.

On motion of Mr. Portis, a committee was appointed on the part of the Senate, to act with a like committee on the part of the House, to wait on the Governor and inform him that the Le-

gislature will adjourn at 12 o'clock M. this day, and know of him if he has any further communications to make.

Messrs. Portis and Davis were appointed said committee.

A message was received from the House, informing the Senate that the House had passed a bill originating in the Senate, to prevent nefarious trading or traffic with Indians on the frontier of Texas.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, Feb. 11th, 1850.

To the Hon. JOHN A. GREER,

President of the Senate:

The Joint committee on Enrolled Bills have examined the joint resolution relating to the mails of Texas, and report it correctly enrolled and presented to the Governor of the State;

They likewise examined the joint resolution for the relief of Lyman Tarbox and J. F. Brown.

The committee also report the bill making an appropriation for the payment of Henry P. Brewster and James Webb for professional services rendered by them on behalf of the State.

Also, the bill prescribing the times for holding the District Courts of the fifth and sixth judicial districts—all presented to the Governor of the State.

A message was received from the House, informing the Senate that the House had passed the joint resolution for the relief of Lyman Tarbox and J. F. Brown, which originated in the Senate;

Also, that the House had passed a joint resolution in relation to the territory of Texas; read first time.

On motion of Mr. Burleson, the rule was suspended; read second time, and passed to third reading.

On motion of Mr. Parker, the rule was further suspended; read third time and passed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Philips, Portis, Robertson, Taylor, Truitt, Ward and Wallace—19.

Nays: None.

Mr. Ward made the following report:

COMMITTEE ROOM, Feb. 11, 1850.

Hon. JOHN A. GREER,

President of the Senate:

The committee an Enrolled bills have examined the following and presented them to the Governor for his approval:

A bill to carry into effect the judgments of the Supreme Court

in the suits instituted by Empresarios and decided in their favor ;

A bill to be entitled an act to amend an act to establish the Galveston and Red River Railway company.

Mr. Davis offered the following resolution :

Resolved, That the thanks of the Senate are due the Hon. John A. Greer, for the able, courteous, and dignified manner in which he has discharged the duties of presiding officer of the Senate during the present session of the Legislature.

On motion of Mr. Brashear, the yeas and nays were called on its adoption, and were as follows :

Yeas—Messrs. Burleson, Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Truit, Ward and Wallace—16.

Nay—Mr. Brashear—1.

Mr. Pease moved "that the thanks of the Senate are tendered to the Hon. E. Burleson, for the able and impartial manner in which he has discharged the duties of President *pro tem.* of the Senate during the present session ;" carried unanimously.

Mr. Cooke offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to the officers of the Senate, for the efficient manner in which they have discharged their several duties ; adopted.

The committee appointed to wait on the Governor and inform him that the Legislature was about to adjourn, and to know of him if he had any further communications to make, reported duty performed, and that the Governor had no further communication to make.

The journals of to-day were read and adopted.

On motion of Mr. Cooke, the Senate adjourned *sine die*.